

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Laura Madison, Gjalt W. Huisman and Oliver P. Peoples

Serial No.: 09/235,875

Art Unit: 1638

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Examiner: Russell Kallis

For: *TRANSGENIC SYSTEMS FOR THE MANUFACTURE OF POLY(3-HYDROXY-BUTYRATE-CO-3-HYDROXYHEXANOATE)*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit a Supplemental Information Disclosure Statement, including one (1) page of Form PTO-1449 and a copy of the one (1) document cited therein.

This supplemental Information Disclosure Statement is being filed under 37 C.F.R. 1.97 (d) after a Notice of Appeal. The Commissioner is authorized to charge \$180.00, the fee set forth under 37 CFR § 1.17(p), to Account No. 50-3129. It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-3129.

Certification Under 37 C.F.R. §1.97 (e)(2)

Each item of information listed below this certification in this Supplemental Information Disclosure Statement was not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, each item listed below was not known to any individual designated in § 1.56(c) more than three months prior to the filing of this Supplemental Information Disclosure Statement.

Publications

NAWRATH, et al., "Targeting of the polyhydroxybutyrate biosynthetic pathway to the plastids of *Arabidopsis thaliana* results in high levels of polymer accumulation", *Proc. Natl. Acad. Sci. U.S.A.*, 91(26):12760-4 (1994).

Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

/Patrea L. Pabst/

Patrea L. Pabst

Reg. No. 31,284

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PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2151 (Telephone)
(404) 879-2160 (Fax)